

S/N 09/945,512

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Forbes  
Serial No.: 09/945,512  
Filed: August 30, 2001  
Title: IN SERVICE PROGRAMMABLE LOGIC ARRAYS WITH LOW TUNNEL  
BARRIER INTERPOLY INSULATORS

Examiner: Richard Booth  
Group Art Unit: 2812  
Docket: 1303.027US1

RESPONSE UNDER 37 C.F.R § 1.111

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REMARKS

This paper responds to the Office Action dated on June 30, 2005.

Applicant has reviewed and fully considered Examiner's Office Action dated June 30, 2005 regarding Application No. 09/945,512 and respectfully submits that all pending claims are in allowance and offers the following response.

*Clarification of Examiner Commentary*

Applicant has a duty to disclose material information affecting the patentability of the application under consideration. M.P.E.P. § 1.56. Applicant is unable to understand Examiner's statement "an obviousness-type double patenting over a one-way test is proper because the case has been refilled repeatedly in over to have IDS references considered." Applicant respectfully requests that the Examiner clarify the meaning and relevancy of this statement.

*Double Patenting*

Claims 1, 3-4, 6-9, 11-14, 28, 30-33, 35-45, 48, 50-65, and 95-116 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-33 of copending Application No. 10/929,916; claims 1-29 of 10/931,704; claims 1-39 of 10/929,986; claims 1-58 of 10/931,711; and claims 1-33 of 10/931,540. Applicant respectfully traverses these grounds for rejection.